

Issued in Renton, Washington, on December 13, 1995.
Darrell M. Pederson,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 95-30962 Filed 12-19-95; 8:45 am]
BILLING CODE 4910-13-U

14 CFR Part 71

[Airspace Docket No. 95-ASO-23]

Removal of Class E Airspace; Marietta, GA

AGENCY: Federal Aviation Administration (FAA), DOT.
ACTION: Final rule.

SUMMARY: This amendment removes Class E airspace at Marietta, GA. The required weather observations are not available to Atlanta Tower, the ATC facility having jurisdiction over the Class E2 surface area airspace at the Cobb County-McCollum Field Airport, when the Cobb County-McCollum Field Airport Traffic Control Tower is closed. Therefore, the Class E2 surface area airspace for the airport must be revoked. EFFECTIVE DATE: 9091 UTC, February 29, 1996.

FOR FURTHER INFORMATION CONTACT: Benny L. McGlamery, System Management Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5570.

SUPPLEMENTARY INFORMATION: History

It is a requirement that weather observations shall be taken at the surface area's primary airport during the times and dates a surface area is designated, and further that the required weather observation shall be transmitted expeditiously to the ATC facility having jurisdiction over the surface area. When the Cobb County-McCollum Field Airport Traffic Control Tower is closed this requirement is not being met. This action will eliminate the impact Class E2 surface area airspace has placed on users of the airspace in the vicinity of the Cobb County-McCollum Field Airport. This rule will become effective on the date specified in the DATES section. Since this action removes the Class E2 surface area airspace, which eliminates the impact of Class E2 surface area airspace on users of the airspace in the vicinity of the Cobb County-McCollum Field Airport, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

The Rule

The amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) removes Class E airspace at Marietta, GA. The required weather observations are not available to Atlanta Tower, the ATC facility having jurisdiction over the Class E2 surface area airspace at the Cobb County-McCollum Field Airport, when the Cobb County-McCollum Field Airport Traffic Control Tower is closed. Therefore, the Class E2 surface area airspace for the airport must be revoked.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

* * * * *

Paragraph 6002 Class E airspace areas designated as a surface area for an airport.

* * * * *

ASO GA E2 Marietta, GA [Removed]

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Issued in College Park, Georgia, on October 20, 1995.
Benny L. McGlamery,
Acting Manager, Air Traffic Division, Southern Region.
[FR Doc. 95-30919 Filed 12-19-95; 8:45 am]
BILLING CODE 4910-13-M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

15 CFR Parts 771, 779 and 799

[Docket No. 951211296-5296-01]
RIN 0694-AB30

Expansion of General License GLX and GTDR

AGENCY: Bureau of Export Administration.
ACTION: Final rule.

SUMMARY: This final rule revises the Export Administration Regulations (EAR) by expanding General License GLX eligibility to include: microprocessors with a composite theoretical performance not exceeding 500 million theoretical operations per second; memory integrated circuits; certain digital integrated circuits; field programmable gate arrays and logic arrays; portable (personal) or mobile radiotelephones not capable of end-to-end encryption; and software to protect against computer viruses.

In addition, revisions have been made to expand eligibility for General License GTDR with written assurance to include virus protection software controlled under ECCN 5D13A.c.

This rule also revises the list of "Additional Items Eligible for General License GLX" included in a supplement to the General License section of the EAR to reflect the expansion of General License GLX, and makes editorial corrections to the permissive reexport provisions for technical data.

The expansion of General License GLX and GTDR to include additional items will reduce paperwork and licensing delays for exporters, and will focus controls on exports that are of direct strategic concern.

EFFECTIVE DATE: This rule is effective December 20, 1995.

FOR FURTHER INFORMATION CONTACT: For questions of a general nature, call Nancy Crowe, Bureau of Export Administration, Telephone: (202) 482-2440.

For questions of a technical nature on digital mobile telephones call Joseph Young, Bureau of Export Administration, Telephone: (202) 482-4197.

For questions of a technical nature on semiconductors call Robert Lerner, Bureau of Export Administration, Telephone: (202) 482-3710.

SUPPLEMENTARY INFORMATION:

Background

In response to the realities of a post-Cold War era, the Bureau of Export Administration published a final rule in the Federal Register on April 4, 1994, (59 FR 15621) that established General License GLX in section 771.20 of the Export Administration Regulations (EAR). General License GLX allows exports of many items, without the requirement of an individual validated license, to civil end-users and end-uses in formerly COCOM-proscribed destinations. This general license is available for items previously covered by Administrative Exception Notes in the Commerce Control List (CCL), with certain specified exceptions and additions noted in the EAR. General License GLX is not available for exports to military end-users or for known military end-uses. In addition to conventional military activities, military end-uses include any proliferation activities described in Part 778 of the EAR. Retransfers to military end-users or end-uses in countries eligible for General License GLX are strictly prohibited without prior authorization from the Department of Commerce.

Currently, most computer and telecommunications equipment listed on the CCL are eligible for General License GLX, except for most portable radiotelephones, virus protection software, and electronic devices and components. Since the formerly COCOM-proscribed destinations as well as the People's Republic of China are emerging markets for these items, and because this step is consistent with the national security and foreign policy objectives of the United States, this rule expands General License GLX for such items to ensure U.S. manufacturers remain competitive in these areas.

This rule expands General License GLX to include: microprocessors with a composite theoretical performance not exceeding 500 million theoretical operation per second identified under ECCN 3A01A.a.3.; memory integrated circuits identified under ECCN 3A01A.a.4.; digital-to-analog converters identified under ECCN 3A01A.a.5.b.; field programmable gate arrays and logic arrays identified under ECCN 3A01A.a.7., and a.8.; digital integrated circuits identified under ECCN 3A01A.a.11.; portable (personal) or mobile radiotelephones not capable of end-to-end encryption identified under

Export Control Classification Number (ECCN) 5A11A.a.; and software to protect against computer viruses identified under ECCN 5D13A.c.

This rule also removes ECCNs 4B01A, 4B02A, 4B03A and 4C01A from Supplement No. 1 to Part 771 of the EAR, Additional Items Eligible for General License GLX. This editorial revision conforms the GLX supplement with the removal of these ECCNs from the CCL on May 16, 1994 (59 FR 25314).

In addition, eligibility for General License GTDR with letter of assurance has been expanded to include virus protection software controlled under ECCN 5D13A.c. Note that such software is also eligible for General License GLX, and exporters may use either general license, whichever appropriate, provided that the export meets all the provisions of the general license.

This rule also makes editorial changes to the permissive reexport provisions for technical data based upon authorization by COCOM participating countries. Finally, this rule makes editorial changes to the permissive reexport provisions for the direct product of U.S.-origin technical to clarify the original intent. These clarifications do not provide substantive changes to the EAR.

Although the Export Administration Act (EAA) expired on August 20, 1994, the President invoked the International Emergency Economic Powers Act and continued in effect, to the extent permitted by law, the provisions of the EAA and the EAR in Executive Order 12924 of August 19, 1994, and notice of August 15, 1995 (60 FR 42767).

Rulemaking Requirements

1. This final rule has been determined to be not significant for the purposes of Executive Order 12866.

2. Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. This rule involves collections of information subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). These collections have been approved by the Office of Management and Budget under control numbers 0694-0005, 0694-0007, 0694-0010, and 0694-0023.

3. This rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under Executive Order 12612.

4. Because a notice of proposed rulemaking and an opportunity for

public comment are not required to be given for this rule by the Administrative Procedure Act (5 U.S.C. 553) or by any other law, under sections 3(a) of the Regulatory Flexibility Act (5 U.S.C. 603(a) and 604(a)) no initial or final Regulatory Flexibility Analysis has to be or will be prepared.

5. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military and foreign affairs function of the United States. Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule.

List of Subjects

15 CFR Parts 771, 799

Exports, Reporting and recordkeeping requirements.

15 CFR Part 779

Computer technology, Exports, Reporting and recordkeeping requirements, Science and technology.

Accordingly, Parts 771, 779, and 799 of the Export Administration Regulations (15 CFR Parts 730-799) are amended as follows:

1. The authority citation for 15 CFR Parts 771 and 799 continue to read as follows:

Authority: 50 U.S.C. App. 5, as amended; Pub. L. 264, 59 Stat. 619 (22 U.S.C. 287c), as amended; Pub. L. 90-351, 82 Stat. 197 (18 U.S.C. 2510 et seq.), as amended; sec. 101, Pub. L. 93-153, 87 Stat. 576 (30 U.S.C. 185), as amended; sec. 103, Pub. L. 94-163, 89 Stat. 877 (42 U.S.C. 6212), as amended; secs. 201 and 201(11)(e), Pub. L. 94-258, 90 Stat. 309 (10 U.S.C. 7420 and 7430(e)), as amended; Pub. L. 95-223, 91 Stat. 1626 (50 U.S.C. 1701 et seq.); Pub. L. 95-242, 92 Stat. 120 (22 U.S.C. 3201 et seq. and 42 U.S.C. 2139a); sec. 208, Pub. L. 95-372, 92 Stat. 668 (43 U.S.C. 1354); Pub. L. 96-72, 93 Stat. 503 (50 U.S.C. App. 2401 et seq.), as amended; sec. 125, Pub. L. 99-64, 99 Stat. 156 (46 U.S.C. 466c); Pub. L. 102-484, 106 Stat. 2575 (22 U.S.C. 6004); E.O. 11912 of April 13, 1976 (41 FR 15825, April 15, 1976); E.O. 12002 of July 7, 1977 (42 FR 35623, July 7, 1977), as amended; E.O. 12058 of May 11, 1978 (43 FR 20947, May 16, 1978); E.O. 12214 of May 2, 1980 (45 FR 29783, May 6, 1980); E.O. 12851 of June 11, 1993 (58 FR 33181, June 15, 1993); E.O. 12867 of September 30, 1993 (58 FR 51747, October 4, 1993); E.O. 12918 of May 26, 1994 (59 FR 28205, May 31, 1994); E.O. 12924 of August 19, 1994 (59 FR 43437 of August 23, 1994); and E.O. 12938 of November 14, 1994 (59 FR 59099 of November 16, 1994).

2. The authority citation for 15 CFR Part 779 continues to read as follows:

Authority: Pub. L. 96-72, 93 Stat. 503 (50 U.S.C. App. 2401 *et seq.*), as amended; Pub. L. 95-223, 91 Stat. 1626 (50 U.S.C. 1701 *et seq.*); Pub. L. 90-351, 82 Stat. 197 (18 U.S.C. 2510 *et seq.*), as amended Pub. L. 95-242, 92 Stat. 120 (22 U.S.C. 3201 *et seq.* and 42 U.S.C. 2139a); Pub. L. 102-484, 106 Stat. 2575 (22 U.S.C. 6004); E.O. 12002 of July 7, 1977 (42 FR 35623, July 7, 1977), as amended; E.O. 12058 of May 11, 1978 (43 FR 20947, May 16, 1978); E.O. 12214 of May 2, 1980 (45 FR 29783, May 6, 1980); E.O. 12730 of September 30, 1990 (55 FR 40373, October 2, 1990), as continued by Notice of September 25, 1992 (57 FR 44649, September 28, 1992); E.O. 12924 of August 19, 1994 (59 FR 43437, August 23, 1994); and E.O. 12938 of November 14, 1994 (59 FR 59099 of November 16, 1994).

PART 771—[AMENDED]

3. Supplement No. 1 to Part 771, is revised to read as follows:

Supplement No. 1 to Part 771—
Additional Items Eligible for General License GLX

Note: Portions of some items listed in this Supplement are controlled for missile technology (MT), nuclear proliferation (NP), or foreign policy (FP) reasons. Exporters are reminded that such portions are not eligible for General License GLX. Refer to the specific ECCNs to identify those portions of entries subject to MT, NP, or FP controls.

CATEGORY 1

1D01A

1D02A

CATEGORY 2

2A01A

2A02A

2A03A

2A04A

2A06A

2B03A.a

CATEGORY 3

3A01A.a.3. (up to 500 Mtops *only*)

3A01A.a.4.

3A01A.a.5 (except a.5.a.)

3A01A.a.7.

3A01A.a.8.

3A01A.a.11

3A02A.h.

CATEGORY 4

4A03A.d (having a 3-D vector rate less than 10M vectors/sec.)

4A03A.f

CATEGORY 5

5A02A (except .h and .i)

5A03A

5A04A

5A05A

5A06A

5A11A.a (portable or mobile radiotelephones for use with commercial civil cellular radiocommunications systems, not capable of end-to-end encryption)

5B01A

5B02A

5C01A

5D01A

5D02A

5D03A

5D13A.c

CATEGORY 6

6A01A.b

6A02A.a.4

6A03A.a.1

6A04A.f

6A05A.c.2.a

6A05A.d

6A05A.e

6B05A

6A08A.b

6A08A.c

6A08A.I.1.

6C02A.c

6C04A.h

6D03A.d

CATEGORY 8

8A02A.e.2

CATEGORY 9

9B01A.a

9B02A.b

9B01A.f

9B01A.h

9B05A

9B06A

PART 779—[AMENDED]

§ 779.8 [Amended]

5. Section 779.8 is amended:

a. By revising the word "exported" in paragraph (b)(2)(i) to read "reexported";

b. by revising the phrase "export or reexport" in paragraph (b)(2)(ii), (b)(2)(iii) and (b)(2)(iv) to read "reexport"; and

c. by revising the phrase "export or reexport" in paragraph (b)(3) to read "export from abroad".

PART 799—[AMENDED]

Supplement No. 1 to § 799.1—
[Amended]

6. In Supplement No. 1 to Section 799.1, section II of Category 5 (Telecommunications and "Information Security"), ECCN 5D13A is amended by revising the Requirements section to read as follows:

5D13A Specific "Software" as Follows
Requirements

Validated License Required:

QSTVWYZ

Unit: \$ value

Reason for Control: NS

GTDR: Yes, for 5D13.c and software described in Advisory Note 5 *only*. (See Note)

GTDU: No

Note: Exporter must have determined that the software is not controlled by the Office of Defense Trade Controls, Department of State, before using this general license.

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Dated: December 14, 1995.

Sue E. Eckert,

Assistant Secretary for Export Administration.

[FR Doc. 95-30776 Filed 12-19-95; 8:45 am]

BILLING CODE 3510-DT-P

FEDERAL TRADE COMMISSION

16 CFR Part 400

Trade Regulation Rule Concerning Advertising and Labeling as to Size of Sleeping Bags

AGENCY: Federal Trade Commission.

ACTION: Repeal of rule.

SUMMARY: The Federal Trade Commission announces the repeal of the Trade Regulation Rule concerning Advertising and Labeling as to Size of Sleeping Bags. The Commission has reviewed the rulemaking record and determined that due to changes in industry practice, and the existence of laws in most states that mandate point-of-sale disclosures similar to those required by the Rule, the Rule no longer serves the public interest and should be repealed. This notice contains a State of Basis and Purpose for repeal of the Rule.

EFFECTIVE DATE: December 20, 1995.

ADDRESSES: Requests for copies of the State of Basis and Purpose should be sent to Public Reference Branch, Room 130, Federal Trade Commission, 6th Street & Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Neil Blickman, Attorney, Federal Trade Commission, Bureau of Consumer Protection, Division of Enforcement, Washington, DC 20580, (202) 326-3038.

SUPPLEMENTARY INFORMATION:

State of Basis and Purpose

I. Background

The Trade Regulation Rule concerning Advertising and Labeling as to Size of Sleeping Bags (Sleeping Bag Rule), 16 CFR Part 400, was promulgated in 1963 (28 FR 10900). The Sleeping Bag Rule regulates the advertising, labeling and marking of the dimensions of sleeping bags. The Commission had found that the practice of labeling sleeping bags by the dimensions of the unfinished material used in their construction (cut size) was misleading consumers about the actual size of the sleeping bag. To correct this misconception, the Commission promulgated the Sleeping Bag Rule, which provides that it is an unfair method of competition and an unfair or deceptive act or practice to use the "cut